

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jack H. Yuan et al.  
Title: Non-Volatile Memory Cell Array Having Discontinuous Source and Drain Diffusions Contacted by Continuous Bit Line Conductors and Methods of Forming  
Application No.: 10/822,966 Filing Date: April 12, 2004  
Examiner: Le, Thao P. Group Art Unit: 2818  
Docket No.: SNDK.217US2 Conf. No.: 3615

Certificate of Mailing Under 37 CFR 1.8

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Mary E. Buzza  
Signature

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(c)**

Sir:

SanDisk Corporation ("the owner") owns the entire interest in and to both the above-identified continuation application ("instant application") and parent patent no. 6,512,263 ("prior patent") by way of an assignment from the inventors of common parent patent application Serial No. 09/667,344, filed September 22, 2000.

The owner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application that would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154, 155, 156 and 173, as presently shortened by any terminal disclaimer, of the prior patent. The owner further agrees that any such

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patent granted on the instant application shall be enforceable only for and during such period that such patent and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the owner, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154, 155, 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The fee under 37 C.F.R. § 1.20(d) of \$130.00 is being filed herewith. Please charge any additional fees required or credit any overpayment to our Deposit Account No. 502664, as authorized in the accompanying Transmittal Letter.

Respectfully submitted,



Gerald P. Parsons  
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April 28, 2005

Date

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